

**NOVEMBER 1, 2010
REGULAR COUNCIL MEETING
PARMA CITY HALL COUNCIL CHAMBERS
7:55 P.M.**

The Regular Council Meeting was called to order by President of Council Charles. M. Germana presiding:

COUNCIL MEMBERS PRESENT:

ROY J. JECH
LARRY NAPOLI
KENNETH RAMSER
TOM REGAS
SCOTT M. TUMA
SEAN P. BRENNAN
NICHOLAS J. CELEBREZZE
BRIAN DAY
MARY GALINAS

Mr. Mastroianni – Mr. President, the Roll of Council has been called, and I find a quorum of Council Members present. The following officials and department heads were also present: Mayor Dean DePiero, Law Director Timothy Dobeck, Auditor Dennis Kish, Service Director Brian Higgins, Safety Director Gregory Baeppler, Building Commissioner/City Engineer Paul Deichmann, Communications and Community Relations Director Jack Marschall, Director of Human Resources Elayne Siegfried, Senior Citizen Director JoAnn Mason, Chief of Staff Meghann Marnecheck, Economic Development Officer/Grant Writer Shelley Cullins, Director of Public Housing Lev Kulchytsky and Clerk of Council Thomas Mastroianni.

INVOCATION

The Invocation was given by Clerk of Council Thomas Mastroianni.

PLEDGE OF ALLEGIANCE

LEGISLATIVE COMMENT

Mr. Germana – Asked if anyone from the Public would like to comment on any legislation that Council will be taking final action on tonight. No one wished to comment.

DISPOSAL OF JOURNAL

Mr. Germana – Stated, we have the Minutes from the Regular Council Meeting of October 18, 2010. Asked if there were any additions or corrections to these Minutes? Hearing none, the Minutes will stand approved as printed.

COMMUNICATIONS, PETITIONS AND CLAIMS

Notice received from the Ohio Division of Liquor Control for a C1 and C2 Permit to 5336 Broadview Road, Inc., dba Broadview Marathon, 5336 Broadview Road, Parma, Ohio 44134. Mailed on October 28, 2010. Responses must be postmarked no later than November 29, 2010.

Mr. Germana – Copy of said Liquor Permit will be referred to the Safety Director and Ward Councilman.

Notice received from the Ohio Division of Liquor Control for a transfer of a C1 and C2 Permit to Ziad Elia, LLC, 10602 W. Pleasant Valley Road, Parma, Ohio 44130 from Parma Julien, LLC, 10602 W. Pleasant Valley Road, Parma, Ohio 44130. Mailed October 19, 2010. Responses must be postmarked no later than November 19, 2010.

Mr. Germana – Copy of said Liquor Permit will be referred to the Safety Director and Ward Councilman.

AMENDMENT TO THE AGENDA

Motion made by Councilman Jech seconded by Councilman Day to amend the Agenda as follows: On Page 1, under First Reading, add Ordinance No. 211-10, Ordinance No. 272-10, Ordinance No. 273-10, Ordinance No. 282-10 and Ordinance No. 283-10. Under Second Reading, remove Resolution No. 262-10 and add Ordinance NO. 245-10. Also, on Page 3, under Suspension of the Rules, add Ordinance No. 284-10. Further moved to waive the Three Day Rule on Ordinance No. 284-10 under Suspension of the Rules. Motion carried.

FIRST READING:

ORDINANCE NO. 211-10 11/1/10 L-211-10
BY: M. GALINAS, S. BRENNAN, K. A. RAMSER, S. M. TUMA, N. CELEBREZZE
B. DAY, R. J. JECH, L. NAPOLI

AN ORDINANCE TO ENACT SECTION 155.095 “NON-COLLUSION
AFFIDAVIT FOR VENDORS” OF THE CODIFIED ORDINANCES
OF THE CITY OF PARMA

Mr. Germana – Said Ordinance will be referred to the Governmental Operations Committee.

ORDINANCE NO. 272-10 11/1/10 L-272-10
BY: M. GALINAS
(By Request – Safety Director)

AN ORDINANCE TO AMEND A PORTION OF SECTION 303.08
“IMPOUNDING OF VEHICLES; REDEMPTION” OF THE CODIFIED
ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN
EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Public Safety Committee.

ORDINANCE NO. 273-10 11/1/10 L-273-10
BY: T. REGAS

AN ORDINANCE TO REZONE PERMANENT PARCEL NUMBER
450-17-002 FROM SINGLE-FAMILY AA-1 DISTRICT TO RETAIL
BUSINESS D-3 DISTRICT LOCATED AT 6957 RIDGE ROAD IN THE
CITY OF PARMA

Mr. Germana – Said Ordinance will be referred to the Planning Committee and Planning Commission.

ORDINANCE NO. 275-10 11/1/10 L-275-10

BY: S. M. TUMA
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE CUYAHOGA COUNTY GENERAL HEALTH DISTRICT TO PROVIDE PUBLIC HEALTH SERVICES FOR THE YEAR 2011 AND APPROPRIATING THE SUM OF \$316,924.00, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 276-10 11/1/10 L-276-10

BY: T. REGAS
(By Request – Service Director)

AN ORDINANCE TO AMEND ORDINANCE NO. 219-76 RELATIVE TO THE HIRING OF EMERGENCY DRIVERS AND LABORERS FOR THE REMOVAL OF SNOW AND ICE WHEN AN EMERGENCY EXISTS, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 282-10 11/1/10 L-282-10

BY: S. M. TUMA
(By Request – Recreation Director)

AN ORDINANCE TO AMEND A PORTION OF SECTION 185.05 “FEES OF THE DIRECTOR OF PUBLIC SERVICE” RELATIVE TO OUTING FEES AND THE CLASSIFICATION OF A “SENIOR” FOR THE RIDGEWOOD MUNICIPAL GOLF COURSE OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 283-10 11/1/10 L-283-10

BY: S. M. TUMA
(By Request – Recreation Director)

AN ORDINANCE TO REPEAL SECTIONS 961.16 “GOLDEN AGERS”, 961.17 “MOTORIZED GOLF CARTS; PERMIT; FEE” AND 961.18 “SNOWMOBILES; PERMIT; FEE” OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

SECOND READING:

ORDINANCE NO. 245-10 10/18/10 L-245-10
BY: B. DAY

AN ORDINANCE TO AMEND SUBSECTION (d) OF SECTION
660.25 "SCAVENGING" OF THE CODIFIED ORDINANCES
OF THE CITY OF PARMA

Motion made by Councilwoman Galinas seconded by Councilman Day to refer
Ordinance No. 245-10 back to the Public Safety Committee. Motion carried.

ORDINANCE NO. 264-10 10/18/10 L-264-10
BY: M. GALINAS
 (By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
INTO A PURCHASE AGREEMENT BY AND BETWEEN MOTORS
LIQUIDATION COMPANY (MLC) AND THE CITY OF PARMA
FOR THE ACQUISITION OF REAL PROPERTY KNOWN AS
PERMANENT PARCEL NUMBER _____ LOCATED ON
CHEVROLET BOULEVARD IN THE CITY OF PARMA, AND
DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to refer
Ordinance No. 264-10 back to the Finance Committee. Motion carried.

ORDINANCE NO. 268-10 10/18/10 L-268-10
BY: S. M. TUMA
 (By Request – Service Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR
OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE
LOWEST AND BEST BIDDER FOR THE LEASE/RENTAL OF EIGHTY
(80) GASOLINE POWERED GOLF CARTS, AND DECLARING AN
EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to refer
Ordinance No. 268-10 back to the Finance Committee. Motion carried.

ORDINANCE NO. 269-10 10/18/10 L-269-10
BY: S. M. TUMA
 (By Request – Service Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR
OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH AT&T
TO PROVIDE TELEPHONE LINES FOR THE CITY OF PARMA
FACILITIES, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to refer
Ordinance NO. 269-10 back to the Finance Committee. Motion carried.

SUSPENSION OF THE RULES:

Mr. Germana – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 274-10, Ordinance No. 277-10, Ordinance No. 278-10, Resolution No. 279-10, Resolution No. 281-10 and Ordinance No. 284-10 on three different days be dispensed with?

Yes: Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; motion carried.

Mr. Germana – Shall Rule 45 requiring reference to committee be dispensed with and Resolution No. 274-10, Ordinance No. 277-10-, Ordinance No. 278-10, Resolution No. 279-10, Resolution No. 281-10 and Ordinance No. 284-10 be placed on final passage?

Yes: Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; motion carried.

RESOLUTION NO. 274-10 11/1/10 L-274-10
BY: L. NAPOLI, S. P. BRENNAN, M. GALINAS, R. J. JECH, K. RAMSER, T. REGAS,
S. M. TUMA, N. CELEBREZZE, B. DAY, M. GALINAS

A RESOLUTION IN SUPPORT OF THE BIG CREEK WATERSHED
BALANCED GROWTH INITIATIVE, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Day to adopt Resolution No. 274-10.

Yes: Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; Resolution No. 274-10 is adopted.

ORDINANCE NO. 277-10 11/1/10 L-277-10
BY: S. M. TUMA
(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2010 PERMANENT APPROPRIATIONS
OF THE CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Day to adopt Ordinance No. 277-10.

Yes: Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; Ordinance No. 277-10 is adopted.

ORDINANCE NO. 278-10 11/1/10 L-278-10
BY: S. M. TUMA
(By Request - Auditor)

AN ORDINANCE AUTHORIZING THE TRANSFER OF APPROPRIATIONS
WITHIN THE 2010 PERMANENT APPROPRIATIONS OF THE CITY OF
PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Day to adopt Ordinance No. 278-10.

Yes: Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; Ordinance No. 278-10 is adopted.

RESOLUTION NO. 279-10 11/1/10 L-279-10

BY: S. M. TUMA
 (By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S POST
CERTIFICATION OF REQUISITIONS AS DETAILED IN EXHIBIT "A"
AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Day to adopt
Resolution No. 279-10.

Yes: Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; Resolution No. 279-10 is adopted.

RESOLUTION NO. 281-10 11/1/10 L-281-10

BY: L. NAPOLI, R. J. JECH, K. RAMSER, T. REGAS, S. M. TUMA,
 S. P. BRENNAN, N. CELEBREZZE, B. DAY, M. GALINAS

A RESOLUTION URGING THE PUBLIC UTILITIES COMMISSION
OF OHIO AND FIRST ENERGY TO MAKE RESTORATION OF
DISCOUNTS FOR ALL ELECTRIC HOMES RETROACTIVE TO THE
DATE THAT HAD BEEN ELIMINATED, AND DECLARING AN
EMERGENCY

Motion made by Councilman Napoli seconded by Councilman Day to amend
Ordinance NO. 281-10 as follows: In Section 1, after "First Energy" add ", and that
standard rate customers do not bear the cost of the restoration of the all electric
discounts." Also, in Section 2, delete "Robert Spada" and add "State Representative
Timothy DeGeeter." Motion carried.

Motion made by Councilman Jech seconded by Councilman Day to adopt
Resolution No. 281-10 as amended.

Yes: Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; Resolution No. 281-10 is adopted as amended.

ORDINANCE NO. 284-10 11/1/10 L-284-10

BY: S. M. TUMA, R. J. JECH, L. NAPOLI, K. RAMSER, T. REGAS,
 S. P. BRENNAN, N. CELEBREZZE, B. DAY, M. GALINAS
 (By Request – Service Director)

AN ORDINANCE TO AMEND SECTION 3 OF ORDINANCE NO.
198-10 TO INCLUDE AN ADDITIONAL FUND NUMBER FOR
THE CITY HALL ENTRY & SIDEWALK IMPROVEMENT
CONSTRUCTION PROJECT, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Day to adopt
Ordinance No. 284-10.

Yes: Jech, Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; Ordinance No. 284-10 is adopted.

APPOINTMENTS AND CONFIRMATIONS

Councilman Ramser – Stated that the Appointment Scanning Committee met to discuss the following appointment: Appointment of Charles Jennings to fill a vacancy created by Donna Smallwood on the Cemetery Commission. The term will commence on November 2, 2010, ending on June 6, 2012. Motion made by Councilman Ramser seconded by Councilman Day to confirm the appointment of Charles Jennings as recommended by the Mayor and the Appointment Scanning Committee of Council. Motion carried.

PUBLIC SESSION

Mary Ann Nice, 4809 Sassafras – Commented on the all electric homes and the large electric bills.

Ray Rosenberger, 6232 N. Canterbury Road – Commented on scavenging in the City. Stated that he is certain there is a compromise.

Robert Walker, 6040 Broadview Road – Asked if there is a chance that Parma Council would decide to re-write the moratorium on sweepstakes internet cafes.

MISCELLANEOUS BUSINESS

Safety Director Baeppler – No comment.

Service Director Higgins – No comment.

Law Director Dobeck – Wished Mr. Germana good luck.

Auditor Kish – Wished Mr. Germana good luck.

Councilman Jech – Wished Mr. Germana good luck.

Councilman Napoli – Wished Mr. Germana good luck.

Councilman Ramser – Commented on his Ward Meeting and how pleased he was with the turn out.

Councilman Regas – Wished Mr. Germana good luck.

Councilman Tuma – Commented on dealing with the public utilities. Wished Mr. Germana good luck.

Councilman Brennan – Commented on the walk about in his Ward last week. Wished Mr. Germana good luck.

Councilman Celebrezze – Wished Mr. Germana good luck.

Councilman Day – Commented on the West Creek clean up at the Henninger House. Wished Mr. Germana good luck.

Councilwoman Galinas – Wished Mr. Germana good luck.

Mr. Germana – Thanked everyone for their best wishes. Commented on the scavenger legislation.

ADJOURNMENT

Motion made by Councilman Day seconded by Councilman Jech to adjourn said meeting. Motion carried.

C E R T I F I C A T I O N

I, Thomas Mastroianni, Clerk of Council for the City of Parma, Ohio, do hereby certify this to be a true and correct copy of the Minutes from the Regular Council Meeting held on Monday, November 1, 2010.

THOMAS MASTROIANNI
CLERK OF COUNCIL

CHARLES M. GERMANA
PRESIDENT OF COUNCIL

Meeting adjourned at 8:15 P.M./lk

(Minutes completed on November 10, 2010)